

AGENDA

CONNECTICUT MEDICAL EXAMINING BOARD Tuesday, September 18, 2012 at 1:30 PM

**LEGISLATIVE OFFICE BUILDING
300 CAPITOL AVENUE – ROOM 1-A
HARTFORD, CT**

CALL TO ORDER

I. APPROVAL OF MINUTES

June 19, 2012, August 21, 2012

II. UPDATES

- A. Chair Updates
- B. Information Updates
Department of Public Health

III. NEW BUSINESS

- A. Petition for Declaratory Ruling on Specific Procedures For Colonic Irrigation Administered by a Non-Medical Practitioner submitted by Caroline C. Baisley, Director of Health, Town of Greenwich, CT, received by the Department of Public Health in Hartford on July 23, 2012
Daniel Shapiro, Assistant Attorney General
- B. Motion for Stay on Demand for Payment of Fine re: Edwin Njoku, M.D.
Daniel Shapiro, Assistant Attorney General
- C. Second Proposed Memorandum of Decision
Mary Jane Brackett, MD - Petition No. 2009-200970
- D. Proposed Memorandum of Decision
David Goodkind, MD - Petition No. 2008-0310-001-045

IV. LEGAL OFFICE BUSINESS

- A. Howard Kaplan, MD – Petition No. 2011-1129
Presentation of Consent Order – Diane Wilan, Staff Attorney, DPH
- B. Jeffrey Sandler, MD – Petition No. 2012-29
Presentation of Consent Order – Matthew Antonetti, Principal Attorney, DPH

ADJOURN

The following minutes are draft minutes which are subject to revision and which have not yet been adopted by the Board.

**CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES of June 19, 2012**

The Connecticut Medical Examining Board held a meeting on Tuesday, June 19, 2012 at the Legislative Office Building, 300 Capitol Avenue, Hartford, Connecticut in conference room 1-A.

BOARD MEMBERS PRESENT: Anne Doremus, Chairperson
Raymond Andrews, Jr., Esq.
Douglas Fellows, MD
David M. Goldenberg, MD
Jeffrey A. Gordon, MD
Robert Green, MD
Rabbi Dov Greer
Henry Jacobs, MD
Michael Lindberg, MD
Patricia Loving, PA
Daniel Rissi, MD
Howard Sadinsky, DO
C. Steven Wolf, MD

BOARD MEMBERS ABSENT Edward McAnaney, Esq.

Ms. Doremus called the meeting to order at 1:30 p.m.

I. MINUTES

The draft minutes of the April 17, 2012 meetings were reviewed. Dr. Green made a motion to approve the minutes as edited. The motion passed.

II. UPDATES

- A. Chair Updates
 - 1. Monthly tracking of pending cases.
 - 2. Hearing assignments.
- B. Department of Public Health
 - None

III. LEGAL OFFICE BUSINESS

- A. Jose Estela, MD – Petition No. 2010-18

David Tilles, Staff Attorney, Department of Public Health presented a Consent Order in this matter. Attorney Mary Alice Moore Leonhardt was present with respondent..
Dr. Wolf made a motion, seconded by Dr. Fellows, to approve the Consent Order. The motion passed unanimously. Ms. Doremus signed the Order which imposes a \$2000.00 civil penalty.

IV. LICENSING/EXAMINATIONS

- Reinstatement Application – Janet A. Pappianni-Paret, M.D.

Maritsa Morales License and Applications Analyst, Department of Public Health presented a reinstatement application for Janet Pappianni-Paret, M.D.
Dr. Jacobs made a motion, seconded by Dr. Gordon, to recommend that Dr. Pappianni-Paret's license be reinstated. The motion passed unanimously.

V. LEGAL OFFICE BUSINESS cont.

B. Gerald Micalizzi, MD – Petition No. 2010-260

Matthew Antonetti, Principal Attorney, Department of Public Health presented a Consent Order in this matter. Attorney Michael Rigg was present with respondent..

Rabbi Greer made a motion, seconded by Ms. Loving, to approve the Consent Order. The motion passed unanimously. Ms. Doremus signed the Order which imposes a \$20000.00 civil penalty and probation for a period of six months.

C. Michael Ajemian, MD – Petition No. 2012-195

Matthew Antonetti, Principal Attorney, Department of Public Health presented a motion for summary suspension in this matter. Assistant Attorney General Daniel Shapiro was present to provide legal advice to the Board. Respondent was not present or represented.

Following review of the Department's motion and an email reply from respondent, Dr. Wolf made a motion, seconded by Dr. Green, to grant the summary suspension motion. The motion passed unanimously. Ms. Doremus signed the Summary Suspension Order. A hearing will be scheduled for June 29, 2012. Hearing panelists will be Ms. Doremus, Rabbi Greer, and Velandy Manohar, MD.

D. Tory Westbrook, MD – Petition No. 2012-187

Matthew Antonetti, Principal Attorney, Department of Public Health presented a motion for summary suspension in this matter. Assistant Attorney General Daniel Shapiro was present to provide legal advice to the Board. Neither respondent nor his attorney was present.

Following review of the Department's motion and a reply from respondent's attorney, Dr. Jacobs made a motion, seconded by Dr. Gordon, to grant the summary suspension motion. The motion passed unanimously. Ms. Doremus signed the Summary Suspension Order. A hearing will be scheduled for June 26, 2012. Hearing panelists will be Dr. Green, Elliott Alter, OD, and Edward Osswalt, Esq.

E. Carl Schiano, DO – Petition No. 2012-83

David Tilles, Staff Attorney, Department of Public Health presented a motion to withdraw the Statement of Charges in this matter based on Dr. Schiano's surrender of his license. Neither respondent nor his attorney was present.

Dr. Wolf made a motion, seconded by Dr. Gordon, to grant the motion to withdraw the Statement of Charges. The motion passed unanimously. Ms. Doremus signed the Order.

VI. NEW BUSINESS

A. Proposed Memorandum of Decision

Anton Chinniah, MD - Petition No. 2009-0114-001-008

The Board reviewed the second proposed Memorandum of Decision in this matter.

Dr. Fellows made a motion, seconded by Green, to adopt the decision as written. The motion passed unanimously.

Ms. Doremus signed the Order which dismisses the statement of charges in this matter.

B. Proposed Memorandum of Decision

Mahmood Yekta, MD - Petition No. 2007-0328-001-047

Attorney Christine Robinson was present on behalf of respondent. Staff Attorney David Tilles was present for the Department of Public Health.

Dr. Fellows made a motion, seconded by Rabbi Greer, to adopt the decision as written. The motion passed with all in favor except Dr. Wolf who recused himself. Ms. Doremus signed the Order, which imposes a \$1500.00 civil penalty.

C Proposed Memorandum of Decision

Mary Jane Brackett, MD - Petition No. 2009-200970

Respondent was present with attorney Jason Prueher. Staff Attorney Linda Fazzina was present for the Department of Public Health. Assistant Attorney General Daniel Shapiro was present to provide legal advice to the Board.

Dr. Rissi, chairman of the hearing panel, provided a synopsis of the hearing panel's findings and recommendations.

The Board heard argument from Attorney Fazzina and Attorney Prueher concerning the proposed Memorandum of Decision and the Department's request that the decision be modified to provide for a more stringent penalty.

Dr. Wolf made a motion, seconded by Mr. Andrews, that the proposed decision be remanded to the hearing panel for reconsideration of the proposed discipline. The motion passed with all in favor except Dr. Rissi and Dr. Sadinsky who abstained.

D Proposed Memorandum of Decision

John Lynch II, MD - Petition No. 2011-142

Attorney Sandra Gersten was present on behalf of respondent. Staff Attorney David Tilles was present for the Department of Public Health. Assistant Attorney General Daniel Shapiro was present to provide legal advice to the Board.

The Board heard comments from Attorney Gersten and Attorney Tilles concerning the proposed Memorandum of Decision.

Dr. Fellows made a motion, seconded by Dr. Rissi, to adopt the decision as written. The motion passed with all in favor except Dr. Lindberg who recused himself. Ms. Doremus signed the Order which revokes respondent's license to practice.

E. Proposed Memorandum of Decision

Robban Sica, MD - Petition No. 2007-0227-001-030

Respondent was without representation. Staff Attorney David Tilles was present for the Department of Public Health. Assistant Attorney General Daniel Shapiro was present to provide legal advice to the Board.

Prince Song Cambilargiu addressed the Board regarding his request to intervene in this matter.

Dr. Fellows made a motion seconded by Dr. Wolf to deny Mr. Cambilargiu's request to intervene.

The Board heard comments from Dr. Sica and Attorney Tilles concerning the proposed Memorandum of Decision and the Department's request that the monitor of respondent's practice be Board certified.

Dr. Wolf, chairman of the hearing panel, provided a synopsis of the hearing panel's findings and recommendations.

Dr. Green made a motion, seconded by Dr. Wolf, to grant the Department's motion requiring the practice monitor to be Board certified.

Dr. Green made a motion, seconded by Dr. Wolf, to adopt the proposed decision as amended.

The motion passed unanimously. Ms. Doremus signed the Order which imposes a one month suspension, probation for a period of two years and a \$7700.00 civil penalty.

D Proposed Memorandum of Decision

Edwin Njoku, MD - Petition No. 2012-106

Attorney Richard Brown was present on behalf of respondent. Staff Attorney David Tilles was present for the Department of Public Health. Assistant Attorney General Daniel Shapiro was present to provide legal advice to the Board.

The Board heard argument from Attorney Brown and Attorney Tilles concerning the proposed Memorandum of Decision. During argument Attorney Brown orally moved that these proceedings before the Board be stayed pending the conclusion of the criminal proceedings against Dr. Njoku.

Mr. Andrews left at 3:33 p.m.

Rabbi Greer left at 3:40 p.m.

Dr. Gordon made a motion, seconded by Dr. Fellows, to adopt the decision as written. The motion passed with all in favor except Dr. Wolf who recused himself. Ms. Doremus signed the Order, which revokes respondent's license to practice.

The adoption of the Memorandum of Decision renders Attorney Brown's motion as moot.

VII. 120 DAY EXTENSIONS

Michael Anthony, MD – Final day of hearing 6-12-2012, fact-finding to be scheduled

David. Goodkind, MD – Proposed Memorandum of Decision being drafted

Paul Sygall, MD – Fact-finding scheduled fro 6-29-2012

Mr. Goldenberg made a motion, seconded by Dr. Fellows, to grant a 120 day extension in these matters. The motion passed unanimously.

VIII. ADJOURNMENT

As there was no further business, the meeting was adjourned at 3:53 p.m.

Respectfully submitted,

Anne C. Doremus, Chairperson

The following minutes are draft minutes which are subject to revision and which have not yet been adopted by the Board.

**CONNECTICUT MEDICAL EXAMINING BOARD
MINUTES of August 21, 2012**

The Connecticut Medical Examining Board held a call-in meeting on Tuesday, August 21, 2012 at the Department of Public Health, 410 Capitol Avenue, Hartford, Connecticut in the third floor conference room 3-C.

BOARD MEMBERS PRESENT:

Anne Doremus, Chairperson
Raymond Andrews, Jr., Esq.
Douglas Fellows, MD
Jeffrey A. Gordon, MD
Robert A. Green, MD
Henry Jacobs, MD
Michael C. Lindberg, MD
Edward McAnaney, Esq.

BOARD MEMBERS ABSENT:

David M. Goldenberg, MD
Rabbi Dov Greer
Patricia S. Loving, PA
Daniel Rissi, MD
Howard J. Sadinsky, DO
C. Steven Wolf, MD

Ms. Doremus called the meeting to order at 1:45 PM.

120 DAY EXTENSIONS

- M. J. Brackett, MD – The second Proposed Decision will be presented at the September 18, 2012 meeting.
- S. Lam, MD – The Proposed Decision is being drafted.
- J. Lane, MD – Fact Finding is in the process of being rescheduled.
- C. McDonald, MD – First day of hearing scheduled.
- P. Nath, MD – Hearing scheduled for October 5, 2012.
- L. Telesford, MD – First day of hearing scheduled.

Dr. Gordon moved, seconded by Attorney McAnaney, to grant the 120 day extensions in the above-referenced matters. The motion passed unanimously.

The Board Members started to discuss a legal matter that was not on today's agenda. Attorney Joanne Yandow advised the Board that this item would be placed on the September 18, 2012 Agenda for discussion.

ADJOURNMENT

Dr. Fellows moved, seconded by Attorney Andrews, to adjourn this meeting at 2:00 PM. The motion passed unanimously.

Respectfully submitted,

Anne C. Doremus, Chairperson

